

1 HOUSE BILL NO. 7

2 INTRODUCED BY M. MCCANN

3 BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION AND THE
4 OFFICE OF BUDGET AND PROGRAM PLANNING5
6 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL
7 RESOURCES AND CONSERVATION FOR GRANTS FOR DESIGNATED PROJECTS UNDER THE
8 RECLAMATION AND DEVELOPMENT GRANTS PROGRAM; PRIORITIZING GRANTS AND AMOUNTS;
9 ESTABLISHING CONDITIONS FOR GRANTS; AMENDING SECTION 2, CHAPTER 419, LAWS OF 1999; AND
10 PROVIDING AN EFFECTIVE DATE."11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:13
14 NEW SECTION. **Section 1. Appropriations for reclamation and development grants.** (1) The
15 amount of \$4,100,000 is appropriated to the department of natural resources and conservation from the
16 reclamation and development grants special revenue account from funds allocated for appropriation from
17 the interest income of the resource indemnity trust fund set forth in Title 15, chapter 38.18 (2) The funds appropriated in this section must be awarded by the department to the entities listed
19 in [section 2] for the prescribed purposes and in the prescribed grant amounts, subject to the conditions
20 provided in [sections 2 through 4].21
22 NEW SECTION. **Section 2. Approved grant projects.** (1) The legislature approves the grants listed
23 in subsection (2), to be made in the order of priority as indicated within the following list of projects and
24 activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts
25 approved in this section in order of priority until available funds are expended. Funds not accepted by
26 grantees or funds not used by higher-ranked projects and activities must be provided for projects and
27 activities lower on the priority list that would otherwise not receive funding. Descriptions of the various
28 projects and activities and specific conditions established for each project and activity are contained within
29 the department of natural resources and conservation's reclamation and development grants program
30 report to the 57th legislature for the 2003 biennium.

1	(2) The following are the grants program prioritized projects and activities:	
2	Applicant/Project	Grant Amount
3	BOARD OF OIL AND GAS CONSERVATION*	\$300,000
4	2001 Eastern District Orphaned Well Plug & Abandonment	
5	& Site Restoration	
6	BOARD OF OIL AND GAS CONSERVATION*	300,000
7	2001 Northern District Orphaned Well Plug & Abandonment	
8	& Site Restoration	
9	DEPARTMENT OF ENVIRONMENTAL QUALITY	300,000
10	Development of Trust Fund to Ensure Long-Term Water	
11	Treatment at Zortman-Landusky	
12	POWELL COUNTY*	300,000
13	Ontario Wet Tailings Reclamation	
14	CITY OF LEWISTOWN*	297,740
15	Reclamation of Brewery Flats on Big Spring Creek	
16	DEPARTMENT OF ENVIRONMENTAL QUALITY*	291,191
17	CMC Pony Mill Site Reclamation Project (completion phase)	
18	BROADWATER CONSERVATION DISTRICT*	145,380
19	Big Belt Mine Reclamation Projects	
20	CITY OF DEER LODGE*	140,000
21	Former Chicago Milwaukee Railroad Passenger Fueling	
22	Area, Deer Lodge, Montana	
23	BUTTE-SILVER BOW COUNTY	49,272
24	Upper Clark Fork Basin; Superfund Technical Assistance	
25	BOARD OF OIL AND GAS CONSERVATION	300,000 <u>250,000</u>
26	2001 Southern District Orphaned Well Plug & Abandonment	
27	& Site Restoration	
28	CUSTER COUNTY CONSERVATION DISTRICT*	299,977
29	Yellowstone River Resource Conservation Project	
30	CASCADE COUNTY / WEED AND MOSQUITO MANAGEMENT	218,466

1	Fort Shaw Weed Shop Soil Contamination Remediation	
2	DEPARTMENT OF ENVIRONMENTAL QUALITY*	300,000
3	Mineral Reclamation Project <u>ORGANIC SOIL AMENDMENTS</u>	
4	DEPARTMENT OF ENVIRONMENTAL QUALITY*	300,000
5	Mineral Reclamation Project <u>ZORTMAN MINE - RUBY GULCH TAILINGS REMOVAL</u>	
6	<u>THE STATE GRANT IS SUBJECT TO RECEIPT OF FEDERAL FUNDS TO COMPLETE TAILINGS REMOVAL AND STREAM</u>	
7	<u>CHANNEL RESTORATION ABOVE, WITHIN, AND BELOW THE ZORTMAN TOWNSITE.</u>	
8	DEPARTMENT OF ENVIRONMENTAL QUALITY*	50,000
9	Mineral Reclamation Project	
10	DEPARTMENT OF ENVIRONMENTAL QUALITY	250,000
11	Coal Bed Methane Gas EIS	
12	GLACIER COUNTY*	100,000 <u>150,000</u>
13	2000 Glacier County Plugging & Abandonment	
14	PONDERA COUNTY*	50,000 <u>100,000</u>
15	Pondera County Oil & Gas Well Plug & Abandonment Project	
16	LIBERTY COUNTY*	50,000
17	Abandonment Aid Program for Small Independent Operators in	
18	Liberty, Hill, Blaine, & Chouteau Counties	
19	DEPARTMENT OF ENVIRONMENTAL QUALITY*	300,000
20	Zortman Mine - Ruby Gulch Tailings Removal	
21	<u>DEPARTMENT OF ENVIRONMENTAL QUALITY*</u>	<u>300,000</u>
22	<u>GREGORY MINE RECLAMATION PROJECT</u>	
23	SHERIDAN COUNTY CONSERVATION DISTRICT	299,950
24	Protecting Natural Resources by Reclaiming Oilfield	
25	Brine Contaminated Soils	
26	DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION	272,500
27	DNRC Environmental Hazard Sites on State Land	
28	FLATHEAD COUNTY	167,821
29	Assessment of Aggregate Resources for Long-Term Planning	
30	in Flathead & Missoula Counties	

(3) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 2003 biennium pursuant to 17-7-302.

(4) The funding provided to the grant projects in this section and identified by an asterisk (*) following the applicant's name is eligible for and may be designated for use as a nonfederal match for the federal funding acquired for the nonpoint source pollution control program administered by the department of environmental quality.

NEW SECTION. Section 3. Coordination of fund sources for grants program projects. A sponsor of a grants program project who has applied for a grant for that project under both the reclamation and development grants program and the renewable resource grant and loan program may not receive duplicate funding.

NEW SECTION. Section 4. Condition of grants. Disbursement of grant funds under [sections 1 through 5] is subject to the following conditions that must be met by the project sponsor:

(1) A scope of work and budget for the project must be approved by the department of natural resources and conservation. Reduction in a scope of work or budget may not affect priority activities or improvements.

(2) Other funds required for project completion must have been committed, and the commitment must be documented.

(3) The project sponsor shall show satisfactory completion of conditions described in the recommendation section of the project narrative of the reclamation and development grants program report to the legislature for the 2003 biennium.

(4) An agreement between the department and the project sponsor must be executed in a timely manner, taking into consideration any changed conditions or circumstances that govern the administration and disbursement of funds.

(5) Any other specific requirements considered necessary by the department must be met to accomplish the purpose of the grant as evidenced from the application to the department or as defined by the legislature.

NEW SECTION. Section 5. Other appropriations. There is appropriated to any entity of state

government that receives a grant under [sections 1 through 4] the amount of the grant upon award of the grant by the department of natural resources and conservation. Grants to state entities from a prior biennium are reauthorized for completion of contract work.

SECTION 6. SECTION 2(2), CHAPTER 419, LAWS OF 1999, IS AMENDED TO READ:

"Section 2. Approved grant projects.

(2) The following are the grants program prioritized projects and activities:

Applicant/Project	Grant Amount
MONTANA BOARD OF OIL AND GAS CONSERVATION*	
1999 "A" Orphaned Well Plug and Abandonment and Site Restoration	\$300,000
MONTANA BOARD OF OIL AND GAS CONSERVATION*	
1999 "B" Orphaned Well Plug and Abandonment and Site Restoration	300,000
ENVIRONMENTAL QUALITY, DEPARTMENT OF*	
———— Toston Smelter Reclamation Project —————	300,000
ENVIRONMENTAL QUALITY, DEPARTMENT OF*	
———— Frohner Mine Reclamation Project —————	300,000
ENVIRONMENTAL QUALITY, DEPARTMENT OF*	
———— Great Republic Smelter Reclamation Project —————	300,000
PARK CONSERVATION DISTRICT*	
Upper Yellowstone River Cumulative Effects Investigation	299,940
TOOLE COUNTY*	
Toole County Plugging and Abandonment, Aid to Independent Small Oil Operators	300,000
BUTTE-SILVER BOW LOCAL GOVERNMENT	
Upper Clark Fork Basin: Superfund Technical Assistance	95,236
FERGUS COUNTY CONSERVATION DISTRICT*	
Central Montana Artesian Basin Ground Water Project	150,000
TOOLE COUNTY	
North Toole County Reclamation Project	150,000
BUTTE-SILVER BOW LOCAL GOVERNMENT	
Mining City Mineyard Preservation and Enhancement	297,104

1 TOWNSEND, CITY OF
2 East Pacific Mine Reclamation 202,500
3 MONTANA TECH OF THE UNIVERSITY OF MONTANA
4 Champion International Gravel Pit Reclamation Project 57,494
5 LEWISTOWN, CITY OF
6 Source Location of Hazardous Organic Contaminants Spring Creek Drainage 50,000
7 GLASGOW IRRIGATION DISTRICT
8 St. Mary Diversion Repairs 110,818
9 MONTANA BOARD OF OIL AND GAS CONSERVATION
10 Oil Well Abandonment 20,105
11 The board of oil and gas conservation is authorized to expend remaining funds from grants to the
12 board in this subsection (2) and remaining funds from grants previously awarded to the board to pay for
13 the proper plugging of additional abandoned oil and gas wells. In determining which wells to plug,
14 abandoned wells that represent the greatest threat to the environment and public health and safety should
15 be given priority over all others."
16
17 NEW SECTION. **Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are
18 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
19 applications, the part remains in effect in all valid applications that are severable from the invalid
20 applications.
21
22 NEW SECTION. **Section 8. Effective date.** [This act] is effective July 1, 2001.
23 - END -